



## THE EXPOSITION.

## FACTS AND INCIDENTS OF THE DAY NOTED.

Interesting Address by Prof. Riley on the Cotton Plant's Economics—Efforts Being Made to Secure the Minerals and Woods Exhibit for Museums—Notes of Interest.

The attendance at the exposition yesterday was in every way satisfactory, and indicated a decided increase from along the lines of railroads reaching this city. The reduced rates on the roads will result, in a very few days, in a heavy daily attendance from the whole of north and middle Georgia, Tennessee and the Carolinas. Persons already here from those sections and states report a general awakening of interest in the exposition, and that all the people who have the means and time to spare will certainly attend the show. It has taken the whole of the month of October for the press of the country to really convince the people of the grandeur and complete character of the exhibition. Now, that the facts are fully apprehended and believed, there is little doubt but that natural curiosity, if not real interest in the material development of the country, will at once attract many thousands of visitors to the exposition.

## Distinguished Observers.

There were a number of distinguished gentlemen, in all branches of life, on the grounds yesterday, including notably the gentlemen from Boston, under the guidance of Mr. E. B. Haskell, of the Boston Herald. Hon. Edward Atkinson also continued his examination of the various departments of the exhibition, and was gathering abundant material for many suggestive articles, doubtless. There are few more careful observers and original thinkers in America than Mr. Atkinson, and no one capable of giving to the public through the press more intelligent and practical estimates of the special devices and machines shown in the exhibition, and of the general influences and effects of the exposition. Mr. Atkinson was unable to accompany his colleagues to Augusta, but wrote instead a handsome letter of regret.

Senator Brown, accompanied by Senators Morgan and Slater, again visited the grounds and appeared even more delighted than ever over the grand display of American products and industries.

## Governor Brown on Rates.

Speaking of Governor Brown's interest in the success of the exposition, it is worthy of mention that he is responding promptly and liberally to the demand for cheap transportation to the exhibition and return, so far as his powers and influence go. Referring to the matter yesterday, he said:

"I know that these nominal rates are not business rates for the roads, but in my judgment it is for the best interests of the people of Georgia that they should attend this exposition. I feel, therefore, that it is the true policy for the railroads to bring the people here—even if they do not make a cent from the passengers."

This is characteristic of Senator Brown and we trust his views were fully shared by his associates in the railway circles of the south.

## Dr. Loring's Desire.

TO SECURE THE EXHIBIT OF MINERALS AND WOODS.

Dr. George B. Loring, United States Commissioner of Agriculture, yesterday at noon met a number of the gentlemen representing the railroad exhibits and the exhibits of minerals and woods. His object was to consult with them on the idea of transferring the splendid collection of minerals and wood specimens now in the railroad building, at the close of the exposition, to the National museum at Washington city. He is specially desirous of accomplishing this purpose, but how the railroad men will respond, is yet to be developed.

Mr. Thomas Gray, Jr., who has been here some days, left for his home in Boston yesterday. He hastened his departure with the view of inducing the Massachusetts Institute of technology, of which Hon. Dr. J. A. Walker has just been made president, to negotiate for the wood display. He hopes to be able to purchase the specimens outright and lodge them in the museum of the Institute.

On the other hand we are apprised that efforts will be made to keep the bulk of this unrivaled exhibit in Atlanta. We should be glad to note an earnest and persistent effort made to this end. Our city is the proper show place for such valuable and significant exhibits of the crude wealth of the south.

## Georgia's Exhibit.

Is now complete and reflects great honor on the state. It was prepared through the enterprise of Judge Henderson and his assistants. There are a great many specimens of the agricultural wealth of Georgia and of its mineral resources. The display of cotton is beautiful, showing what the "old red hicks of Georgia" can do under proper treatment of brain and muscle.

## Exposition Notes.

The frost killed the tender shrubbery about the grounds.

The procession of the prize cattle was quite an attractive show and was witnessed by every one on the grounds.

Do not forget to leave a contribution at the office of the Garfield memorial fund, in the main building.

Captain Charles T. Sabin, chief of engineering and machinery, has gone north for a few weeks of rest.

The Norfolk & Western road has sent a gentleman from Philadelphia to arrange its machinery. When fully placed it will be one of the most attractive in the building.

Music for the entertainment of the public is sadly needed upon the grounds.

Colonel Tom Howell was charmed with Professor Riley's address. He wants to build a monument to the professor as for his labors in the interest of cotton-plant propagation.

Card collecting in the exposition has grown to be a contagious mania among the visitors.

The gate receipts are gradually growing better and are expected to rise rapidly after Monday next.

The nipping weather has raised a cry for heating apparatus in the several buildings not yet provided with steam pipes.

## The Attention.

Continued to attract yesterday. The fact that the awards had been made seemed to not lessen the interest in this feature of the great show. Thoroughbreds are becoming common in the south. Around Atlanta there are over one hundred Jersey cattle. Quite a number were sold from the superb display made this week and at very reasonable prices. The first of the special weekly shows of the exposition has been a success. The others are to follow with excellent prospects.

## Professor Riley's Lecture.

No better compliment could have been paid to Professor Riley yesterday than the attention upon his lecture, and the close attention given to it at a time when there were so many other attractions on the grounds. The lecture was illustrated by enlarged diagrams, and made good, think we said that a not in the writing address, for he has a way of treating an otherwise technical subject so as to interest and instruct all. At the close of the address the professor examined the machinery the professor has on exhibition in a body, and there was general expression of amazement at its simplicity and effectiveness. They then reconvened and had a most instructive, practical discussion, of which we hope to give a report at another time.

## Coming Excursions.

Will make next week the liveliest yet known to the exposition. There are evidences of a general visitation by our neighbors and the steady stream of visitors from the north will continue.



## HEALTH IS WEALTH!

Dr. E. C. WEST'S NERVE AND BRAIN TREATMENT; a specific for Hysteria, Disease of the Nerves, Nervous Headache, Mental Depression, Loss of Memory, Spasmophobia, Impotency, Involuntary Emissions, Prostration, Impaired Age, caused by overexertion, sedation, overdrinking, which leads to insanity, decay and death.

One box will cure recent cases. Each box contains one month's treatment. One dollar a box, or six boxes for five dollars; send by mail.

Address Peabody and Company, or Dr. W. H. Parker, No. 4 Bulfinch street, Boston.

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## THE ATLANTA CONSTITUTION. NOVEMBER 5, 1881.

THE CONSTITUTION,  
PUBLISHED DAILY AND WEEKLY.  
ATLANTA, GEORGIA.

THE DAILY CONSTITUTION is published every day except Monday, and is delivered by carriers in the city, or mailed postage free at \$1 per month, \$6 for three months, or \$10 a year.

THE CONSTITUTION, is for sale on all trains leading out of Atlanta, and at newsstands in the principal southern cities.

THE WEEKLY CONSTITUTION, published every Tuesday, mailed postage free for \$1.50 a year—ten copies \$12.50—twenty copies \$20. Sample copies sent free on application. Agents wanted at every post-office territory not occupied.

ADVERTISING rates depend on location in the paper and will be furnished on application.

CORRESPONDENCE containing important news selected from all parts of the country.

UNDER no circumstances will the editors undertake to preserve or return manuscripts not available for publication.

ADDRESS all letters and telegrams, and make all drafts and checks payable to

THE CONSTITUTION  
Atlanta, Ga.

ATLANTA, GA., NOVEMBER 5, 1881.

Is the star route case where ignorance is bliss.

HON. BO INGERSOLL has apparently mistaken the star route investigation for a ministerial performance with himself as end man.

ADELINA PATTI has arrived safely in New York. To-day the enterprising reporter will probably interview her about the \$10-a-seat question.

INDIGENCE, the first degree in the American Order of Diplomacy, was yesterday conferred in Philadelphia, on Hon. Sackville West, the new British minister.

FLIPPER is before his court martial confronted by two sets of charges. He is graciously permitted to elect under which set he shall be drummed out of the army.

THE TENNESSEE legislature is to convene soon in extra session to redistrict the state. This is a republican trick, from all appearances, and will result in some tall gerrymaning.

THE WHOLE STATE INTERESTED.

We are glad to see that the authorities of some other cities of Georgia, acting in accordance with a suggestion made by THE CONSTITUTION a week or two ago, are inviting the cotton manufacturers and others, brought to the state by our exposition, to visit their localities and see the advantages which they respectively offer for development and enterprise. This is sensible and right. It is much better than carpeting at Atlanta and trying to disparage the great exhibition which has been gathered here. We trust, too, that our exhibitors and visitors will accept these invitations. We assure them that they will find all over Georgia most inviting fields in which to "plant" their capital and energy. Our rivers and creeks abound with water power running wild and unappropriated, which, if properly utilized, would drive any desired amount of machinery. Nearly all the "stock" for manufacturing uses is to be found in the state and easily accessible. Of cotton we have even too great an abundance, and its culture now extends all over the state. Wool growing has already attained considerable proportions, especially in southern Georgia, and in some localities in the northern counties of the state, and is fast increasing, as its profit and the adaptability of our pasturage and climate is becoming better understood. The upper courses of the state abound in iron ore of every quality, besides lime and other minerals that can be profitably worked. We have some coal, and the rich coal beds of Alabama and Tennessee are near at hand and transportation cheap. Those of Alabama are unsurpassed in this or perhaps any other country, either in extent or quality. Fine marble is obtained in several counties, and in woods Georgia is unexcelled; her extensive pine forests for building purposes invite the woodman's axe, and her fine grained woods for furniture and ornamental work would supply any demand. To those who prefer to dig money directly from the ground, without dependence on "seed time and harvest" or manufacturing skill, our gold fields present alluring opportunities. With all these rich resources, only partially developed and in very small proportions, Georgia is as good a field as the country presents for the prospector and capitalist. It should all be seen by the men of enterprise and means who have come here to contribute to or visit the International cotton exposition. We have seen with admiration and wonder the intricate machinery and skillful processes which they employ in the production of their beautiful fabrics. Let them also see the richness of Georgia in natural facilities and raw material for their dexterous manipulation. Thus will the exposition be turned to the best account. Thus may the gathering of manufacturers and men of enterprise at the capital of Georgia be made of the most benefit naturally to the visitors and the visited. We trust that invitations for visits of inspection and interchange of civilities will come from all sections of the state, and will be accepted by the "solid" and enterprising men who have been or may be drawn to Georgia by the cotton exposition.

MORMONISM IN THE SOUTH.

Elder John Morgan, president of the southern mission of the Mormon church, was in Chattanooga last Wednesday, and stated to a correspondent of the Cincinnati Enquirer that in a few days he will leave for Colorado with more than one hundred and twenty-five converts to the Mormon church. The majority of these are from southern Virginia, and Elder Morgan says that his church has received over three hundred additions from that section during the past few months, all of whom will be duly forwarded to Colorado. In Elder Morgan's mission, which comprises all the southeastern states, about twenty elders are at work, and he says they are meeting with success.

When, some months ago, THE CONSTITUTION called attention to the nature and extent of the Mormon mission in the states and territories, particularly in the eastern, middle and southern states, a few of our esteemed contemporaries were disposed to treat the whole matter as a trifling sensational, but since the alarm was first sounded in these columns evidence has accumulated going to show that the work of the Mormon propaganda in north Georgia and the surrounding section was underrated. The Mormon confer-

ence, the advertisement of which first gave the public an inkling of the foothold which Mormonism has obtained in Georgia, was, as we are informed, intended as a blind—a mock conference, in fact—while the real conference was held in the mountains, and was largely attended. However this may be, it is certain that the emissaries of polygamy are meeting with extraordinary success in securing proselytes, and their work constitutes a crime which no law—certainly no state law—can reach.

The agitation of the matter by THE CONSTITUTION impelled the recent legislature to enact a law touching the advocacy of polygamy in Georgia, but, as we took occasion to point out at the time, the law is practically void since the Mormon propagandists find it convenient to conceal the festering basis of their organization from those whom they would "convert." Elder Morgan, the head-center of the lustful propaganda in Georgia, pretends to misunderstand the facts with respect to this law, as witness the following from the Deseret Evening News, the principal Mormon organ:

We learn from a letter written by Elder John Morgan, in charge of the southern state mission, that in the Mormon church, the legislature of Georgia senate and which was reported by the papers to have passed the legislature, failed to become a law. The vote of 35 to 10 with which it was carried was the same as that on its first reading. It was never called up again.

The anti-Mormon fanatics may now moderate their exultation a little. The measure was too

strong in its antagonism to the constitutional guarantee of free speech and was altogether anti-republican and unreasonable. But then these theocrats are not all plain "cranks" who want "Mormonism" suppressed by law or violence.

We are gratified to learn that the Georgia law, we believe, has more and more tolerances than to let themselves to an irrational and intolerant scheme in aid of sectarianism, which finds itself unable to meet "Mormonism" on fair grounds in the south.

If Elder Morgan will take advantage of his belief to preach polygamy in Georgia, he will soon discover whether the bill has become a law. We should like to see this champion of immorality put the law to a test. We are convinced, however, that no state law will be efficacious in putting down the propagandists, and we doubt whether a general law can be made effective. There can be no legal, peaceful contest between civilization on the one hand and organized indecency and bestiality on the other. Mormonism in this country will have to be put down by force, and the sooner this fact is recognized the better for all concerned. The Deseret News might as well ask us to meet incest in any other form of lust on "fair grounds." The people do not propose to meet Mormonism on fair grounds. They propose to put it down, and as soon as we have a government that really represents the people, the wretches who practice polygamy will feel its hand.

It has been stated in some of the special dispatches sent from Atlanta that R. M. McPherson committed suicide "because his grandfather had disinherited him," and again "because his grandfather had written him a note repudiating him for being drunk. It is no doubt, true that the unfortunate young man made these statements. But the same fatal delusion that caused him to pull the trigger against his temple, also led him to believe that his grandfather had written a note repudiating him for being drunk. Major Wallace had not written him at all, nor had he seen or communicated with him in any way since his spire began, nor for days previous thereto. Major Wallace never, at any time, repined him or spoke the least harshly to him, but he tenderly and kindly aided him in all the troubles growing out of his waywardness, trusting as he said, in "the grace of God for his reformation." He knew that the unfortunate young man was dissipating, and kept a close eye after him that he might seize upon any opportunity to rescue him. To many persons it may seem reasonable that he might have "thrown off" or "repudiated" the wayward young man but that is not his method nor his disposition. Love and forbearance have always characterized him in his dealings with his children and grandchildren, and his means have always been at their disposal under any and all circumstances of misfortune. His repose have ever been kindly encouraging smile and the word of cheer.

MORMONISM will have to swap ends when it reaches Georgia. In Virginia, it is based on an effort to repudiate an honest debt, but the Georgia Mormon will have to devote himself to legalizing a lot of bogus bonds. The people of the state pant for such a conflict.

THE Hon. SITTING BULL announces that he was "created for a purpose." It appears that in chasing O. O. Howard about over the plains, Colonel Bull captured some of his Sunday-school ammunition. People will begin to suspect after awhile that Howard has not lived up to it.

If the advice of the New York papers is followed, everybody on the face of the earth will immediately rush somewhere and get registered.

THE Hon. SUSAN B. ANTHONY has broken up a tempestuous union on the question of female suffrage. As we have previously remarked, the Hon. Susan is the Sitting Bull of the east.

THE COURIER-JOURNAL can give Guitteau's pardon in the distance. And, indeed, it would be a queer administration that failed to leniently regard its originator.

STATESMAN BLISS seems to have serious objections to the star route jobbers. Was it for this that the jobbers blew the bugle-horn of stalwartism?

MR. BLAINE knows Guitteauism when he sees it, and he has seen it several times. He says the new administration will be Grant from top to bottom.

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## LOCAL TIN-TYPES

FROM OUR REPORTERS' POCKET CAMERAS.

Yesterday in the City--What was Done and Said by Home-Folks and Strangers--The Gossip of the Town as Taken on the Fly--Is and About the Courts and Departments.

CHURCH OF CHRIST.—Repairs on the building having been completed, regular services will be held by the pastor of the Church of Christ to-morrow morning and evening. Sunday-school at 9:30 a.m.

MANY STAMPS.—Chief Connolly is in receipt of a postal card from the postmaster at Kalamazoo, Michigan, offering a reward of \$100 for the capture of a man who stole \$90,000 three cents stamps from that post-office, a few days ago.

KIDD'S WILL.—The last will and testament of the late William Kidd was yesterday filed in the office of the ordinary of Fulton county and will be probated Monday next. The contents of the will are yet unknown, but it is generally understood that the estate is worth about \$200,000 and that the bulk of it will leave Atlanta, although there are several handsome bequests to parties residing here. Among other legatees are two of Atlanta's charitable and public institutions.

ZETELLE.—We clip the following complimentary notice from the "Richmond State": "Spirro Zetelle, the 'old reliable' Richmond caterer, has charge of the culinary department of the Grand Hotel at the Atlanta cotton exposition, and we know 'they have something good to eat.' Zetelle belongs by right to Richmond, and somehow things in the steak line haven't gone right here since he left us. But it is always right. We never appreciate a good man until we lose him."

WIDOW BEDOTT.—Chief C. B. Bishop, who is the new "Widow Bedott" at Haverly's theater, is a great improvement on Neil Burgess, who was his predecessor. Mr. Bishop makes a rotundacious dame of the irrepressible "Priscilla" who is to be seen in the "Burgess" costume, the creature exhibited by the burglar, and his play and facial contortion aid in keeping the audience in a continual roar of laughter. This is the last week of the "Widow," and seats are scarce before 8 o'clock every night; so go early.—Star, January 3.

BURGLARIZED.—About daylight yesterday morning captain Moses Bentley, the Broad street banker, who resides on the corner of Peachtree and Madison streets, was awakened by the loud and fierce barking of his dog, and upon getting up to ascertain the cause, found the front door of his house open. This somewhat astonished him, and a hurried investigation of the place was made, whereby it was learned that a burglar had invaded the premises, and had gotten away with Bentley's watch and chain and a small amount of money. The watch chain was fastened in a button hole of the vest, and was released by cutting the button hole. An entrance was effected through the back door and an exit through the front door.

MISS PALMER.—Another searching night, yet another elegant audience attended the performance of "My Sweetheart," at the Academy of Music last evening. Miss Palmer's charming naturalness won her round after round of applause and two recalls before the curtain.—Buffalo Express, August 31.

"My Sweetheart" affords a very agreeable entertainment, the efforts of Miss Minnie E. Palmer and R. E. Graham, and will win as much favor as any new comedy drama produced for many seasons.—B. J. B. Express, August 31.

WITH SMALL CAPITAL.—Yesterday morning Mr. Alex Thawteat, the assistant general ticket agent at the union depot, sold a gentleman two tickets to Crockett, Texas, for which \$49.30 was paid. The purchase first, asked for the right to Palmer, but he said for which was \$50.80, was more than he could pay, so he had but \$49.40. Inquiry into the case developed the fact that the young man was the husband of a bride he had just stolen from her home in Monroe, Walton county, and that they were going to Texas to escape an irate father. The groom is 22 years of age, and the bride 35. He is not handsome, and she is not beautiful, but with only ten cents in their treasury they have gone to Texas to begin the life of blissful "doubtless."

## Personal.

—J. B. Christy, of Baltimore, is at the Kimball.

—J. C. Kirkpatrick, a Greenville, S. C., broker, was in town yesterday.

—George W. Clotworthy, of Baltimore, arrived yesterday with a display of Daniel Miller's "Diamond shirt" for the exposition.

—Miss Annie Berry, who has been visiting Miss Hornady at 172 Ivy street, left home yesterday.

—John F. Henry and family, of Louisville, Ky., are visiting the exposition.

## The Courts.

SUPREME COURT OF GEORGIA, Nov. 3.—List of cases showing the cases remitted undisposed of, etc. from the Circuit Courts. Circuit 21; Augusta circuit, 17; Middle circuit, 3; Oconee circuit, 8; Brunswick circuit, 5; Eastern circuit, 17; Northern circuit, 11; Atlanta circuit, 46.

No. 4. Argument concluded.

No. 2. Speer vs. Speer et al, executors. Disqualification of Speer, J., suggested, and case set at Oconee circuit.

No. 7. Argument concluded.

No. 10. Hill vs. Printup, Equity, from Floyd, Argued. Wright &amp; Featherston, for plaintiff in error. R. S. Printup, for defendant.

No. 1. Huntington vs. Bonds, Trover, from Polk. Argued. J. A. Blance, E. N. Broyles, for plaintiff in error. Ivy F. Thompson, by brief, for defendant.

No. 2. Ware vs. State, Assult with intent to rape from Floyd. Argued. J. H. Reese; Forsyth &amp; Haskinson, for plaintiff in error. J. I. Wright, solicitor general; T. W. Alexander, for the state.

No. 3. Bonds et al vs. Bank of Empire State, to use, etc. Complaint, from Floyd. Argued. C. Rowell; J. Branham, for plaintiff in error. Dabney &amp; Fouche, for defendant.

Court adjourned until 9:30 a.m. to-morrow.

## THE SUPREME COURT.

Decisions Rendered October 4, 1881—Continued.

Wood et al, Executors vs. McCall: Trover, from Lee. Personality. Actions. Verdict. Damages.

—J. C. J. I. Though a cotton screw may have been a crop attached to the realty, yet if it was detached and carried away, an action of trover would lie; and the fact that it was reattached to the realty on another place did not defeat the right to bring trover therefor.

2. In a trover case the plaintiff may recover damages alone or the property and its hire, if any.

Judgment affirmed.

J. R. Worrill; Hawkins &amp; Hawkins, for plaintiff in error.

Gillis vs. Smith, executor. Claim, from Stewart. Executions. Levy and Sale. Laws. Sheriff.

Jackson, C. J.—An execution against a sheriff should be directed to the coroner of

the county of the sheriff's residence and to all and singular the sheriffs of the state except the sheriff of the county of such residence, and the same may be levied by the coroner, other sheriff or constable of the county, at the option of the plaintiff.

(a) The object of this provision is to prevent a defendant from handling a process against himself. While therefore a f. fa. directed to all and singular the sheriffs and coroners of this state will in effect be directed to the sheriff, yet where it appeared that he had ceased to be a sheriff and that the f. fa. was levied by his successor, it substantially complied with the statute, and the court properly refused to dismiss the levy on motion.

Judgment affirmed.

J. F. Watts, for plaintiff in error.

T. D. Hightower; W. A. Little, for defendant.

Whitney vs. Alston et al. Ejectment, from Sumter. Practice in superior court. Parties. New trial. Verdict.

Jackson, C. J.—Where complaint for land was brought, and a recovery had against tenants in possession, the fact that their landlord, with their knowledge and acquiescence, employed counsel to move for a new trial, which was done in the name of the tenants, does not render the judgment of the landlord as to the title illegal.

2. The grant of a new trial was right under the facts of this case.

Judgment affirmed.

Guerry &amp; Son; Hawkins &amp; Hawkins, for plaintiff in error.

B. P. Hollis, for defendant.

McLendon vs. Harrell. Case, from Webster. Sheriffs. Officers. Actions. Damages.

Jackson, C. J.—If a sheriff is appointed party and as such is supposed to be for the ground, recover damages from another on the ground that he was induced to adopt such line of conduct by the false and fraudulent representations of the defendant and promises to protect him, and the false representations that a check given in payment for land bought at the sheriff's sale would be paid. To allow official misconduct to be the basis of a recovery against a conductor therein, however guilty the latter might be, would be contrary to public policy.

Judgment affirmed.

J. R. Worrill, for plaintiff in error.

Hawkins &amp; Hawkins, for defendant.

Harvy vs. State. Arson, from Sumter. Continuance. New trial. Criminal law. Verdict.

Crawford, J.—That the defendant in a criminal case is excitable, whether from her state of health or otherwise, is not sufficient to require a continuance.

3. Where an indictment for arson charged that the defendant had feloniously taken the property of and in the possession of a certain person, and the proof showed the actual possession was held by the tenant of that person, there was no material variance.

Judgment affirmed.

N. A. Smith, for plaintiff in error.

C. B. Hudson, solicitor general, by W. A. Hawkins; Guerry &amp; Son, for the state.

Hawry vs. Welch, Cook &amp; Bacon. Equity, from Lee. Amendment. Practice in superior court.

Crawford, J.—After all matters in issue between the parties to an equity cause had been submitted to an auditor, a report had been made and exceptions filed and overruled, one of the parties could not amend his pleadings and the cause was referred to a jury on its merits.

Judgment affirmed.

Guerry &amp; Son; W. A. Hawkins, for plaintiff in error.

G. W. Warwick; A. H. Alfriend; L. P. Warren, by brief, for defendants.

Perry vs. Bozenan. Equity, from Terrell. New trial. Verdict. Debtor and creditor.

Crawford, J.—The verdict in this cause is not supported by the evidence.

(a) When there are several debtors due by a debtor to the same creditor, if he makes payments without appropriating them to any special debt, the creditor may appropriate them to any debt which is due.

Judgment reversed.

C. B. Wooten; L. C. Hoyle, for plaintiff in error.

Guerry &amp; Parks, for defendant.

Brady vs. Parker. Attachment, from Sumter. Evidence. Res gestae.

Crawford, J.—The circumstances, acts and declarations which grow out of the main facts, are contemporaneous with it, and serve to illustrate it, are part of the res gestae.

(a) The ground of attachment being that the defendant absconds, and on the trial of an issue formed thereon it having been shown that he was absent from home when the attachment was issued, it is competent to prove that in connection with his departure and just before it, he stated that he was going to Alabama after certain property, and sought to borrow money to pay his expenses there and back, and that he did return.

Judgment affirmed.

J. A. Ansley; Guerry &amp; Son; Hawkins &amp; Hawkins, for plaintiff in error.

John R. Worrill; E. G. Simmons, for defendant.

Bosworth vs. Thomas. Appeal from Sumter. Landlord and tenant Contracts.

Crawford, J.—Where a tenant had been occupying a certain store, and at his instance and under his immediate supervision the landlord caused repairs to be made in the flooring, and thereupon the tenant rented for a term, agreed that no repairs should be required by the landlord, but the floor subsequently gave way by reason of putting a heavy load upon it, there could be no set off from the rent on account of damages resulting from such accident.

Judgment affirmed.

Hawkins &amp; Hawkins, for plaintiff in error.

Guerry &amp; Son, for defendant.

Gunn vs. Facket. Illegality, from Randolph. Officers. Levy and sale. Constables. Justices of the peace.

Crawford, J.—Where a constable was appointed by the sole justice in his district to fill the vacancy caused by a failure to elect a constable, and the appointee accepted the position and habitually exercised the functions of the office, a levy made by him was not void, although he may not have given the bond and taken the oath provided by law before entering on the duties of his office. He was a de facto officer.

(a) The justice who appointed him resigned and moved out of the county, did not alter the case.

2. There is no law requiring the signature of a justice of the peace to a judgment entered on his docket. A signature by initials did not, therefore, avoid such a judgment.

3. A mistake in one's favor is not a ground of exception.

4. A magistrate did not enter on his docket an application for a writ of habeas corpus of a case, but entered judgment for a specified principal and interest, with costs of suit, did not invalidate the judgment.

Judgment reversed.

John T. Clarke &amp; Son, for plaintiff in error.

W. C. Worrill; J. T. Flewelling; C. B. Wooten, for defendant.

All forms of impaired vitality, mental exhaustion, weakened digestion, etc., etc., radically removed by using Brown's Iron Bitters.

—Charles Nordhoff and his two sons are traveling in southern California.

Winston, Forsyth county, N. C.

Gents—I desire to express to you my thanks for your wonderful Hop Bitters. I was troubled with dyspepsia for five years previous to commencing the use of your Hop Bitters some six months ago. My cure has been wonderful. I am pastor of the First Methodist church of this place, and my whole congregation can testify to the great virtues of your bitters. Very respectfully,

Rev. H. Ferree.

Registration of Voters.

BOOKS WILL BE OPENED IN THE CITY CLERK'S office at the City Hall, on the tenth day of October next, and kept open until the 30th day of November, each day, from 8 a.m. until nine o'clock a.m. until five o'clock p.m., for the registration of voters, and no person will be allowed to register at the City Hall, except for the first Wednesday in December next, for Alderman and five Councilmen, who shall not cause himself to be registered as a voter according to the laws and ordinances.

J. H. GOLDSMITH, City Clerk

angus—*Local and State Current Events* 10 days. No postage. No postage paid.

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oct21—d3m

## HOSTETTER'S BITTERS.

S. A. REID, ATTORNEY AT LAW, 48 Marietta Street, Atlanta, Georgia.

Will also give attention to collections at Milledgeville—d3m

S. SAMUEL W. GOODE, ATTORNEY AT LAW, 30 Marietta Street, Atlanta, Georgia.

Corporation and Real Estate Agents, 12th &amp; 23rd, 30th.

John Milledge, Wm. A. Daygood, Milledge &amp; Haygood, ATTORNEYS AT LAW, 12th &amp; 23rd, 30th.

Mr. Milledge being no longer Judge of the Police Court will give his entire time and attention to the practice.

J. JOHN D. POPE, ATTORNEY AT LAW, 100 N. Third street, St. Louis, Mo.

sept16—d3m

WALTER R. BROWN, ATTORNEY AT LAW, 9 Whitehall St, ATLANTA.

Reference: American Exchange National Bank, New York. Val. 867 sept5—d3m

Hugh H. Starnes, ATTORNEY AT LAW, 10 Whitehall St, ATLANTA.

Reference: American Exchange National Bank, New York. Val. 864 sept1—d3m

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nov22—d3m&lt;/

